

**§ 21.47 Transferability.**

A type certificate may be transferred to or made available to third persons by licensing agreements. Each grantor shall, within 30 days after the transfer of a certificate or execution or termination of a licensing agreement, notify in writing the appropriate Aircraft Certification Office. The notification must state the name and address of the transferee or licensee, date of the transaction, and in the case of a licensing agreement, the extent of authority granted the licensee.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-67, 54 FR 39291, Sept. 25, 1989]

EFFECTIVE DATE NOTE: By Amdt. 21-92, 74 FR 53386, Oct. 16, 2009, § 21.47 was revised, effective Apr. 14, 2010. For the convenience of the user, the revised text is set forth as follows:

**§ 21.47 Transferability.**

(a) A holder of a type certificate may transfer it or make it available to other persons by licensing agreements.

(b) For a type certificate transfer in which the State of Design will remain the same, each transferor must, before such a transfer, notify in writing the appropriate aircraft certification office. This notification must include the applicable type certificate number, the name and address of the transferee, and the anticipated date of the transfer.

(c) For a type certificate transfer in which the State of Design is changing, a type certificate may only be transferred to or from a person subject to the authority of another State of Design if the United States has an agreement with that State of Design for the acceptance of the affected product for export and import. Each transferor must notify the appropriate aircraft certification office before such a transfer in a form and manner acceptable to the FAA. This notification must include the applicable type certificate number; the name, address, and country of residence of the transferee; and the anticipated date of the transfer.

(d) Before executing or terminating a licensing agreement that makes a type certificate available to another person, the type certificate holder must notify in writing the appropriate aircraft certification office. This notification must include the type certificate number addressed by the licensing agreement, the name and address of the licensee, the extent of authority granted the licensee, and the anticipated date of the agreement.

**§ 21.49 Availability.**

The holder of a type certificate shall make the certificate available for examination upon the request of the Administrator or the National Transportation Safety Board.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Doc. No. 8084, 32 FR 5769, Apr. 11, 1967]

**§ 21.50 Instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitations sections.**

(a) The holder of a type certificate for a rotorcraft for which a Rotorcraft Maintenance Manual containing an "Airworthiness Limitations" section has been issued under § 27.1529 (a)(2) or § 29.1529 (a)(2) of this chapter, and who obtains approval of changes to any replacement time, inspection interval, or related procedure in that section of the manual, shall make those changes available upon request to any operator of the same type of rotorcraft.

(b) The holder of a design approval, including either the type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, shall furnish at least one set of complete Instructions for Continued Airworthiness, to the owner of each type aircraft, aircraft engine, or propeller upon its delivery, or upon issuance of the first standard airworthiness certificate for the affected aircraft, whichever occurs later. The Instructions must be prepared in accordance with § 23.1529, § 25.1529, § 25.1729, § 27.1529, § 29.1529, § 31.82, § 33.4, § 35.4, or part 26 of this subchapter, or as specified in the applicable airworthiness criteria for special classes of aircraft defined in § 21.17(b), as applicable. Thereafter, the holder of a design approval must make those instructions available to any other person required by this chapter to comply with any of the terms of those instructions. In addition, changes to the Instructions for Continued Airworthiness shall be made available to any person required by

## §21.51

this chapter to comply with any of those instructions.

[Amdt. No. 21-23, 33 FR 14105, Sept. 18, 1968, as amended by Amdt. No 21-51, 45 FR 60170, Sept. 11, 1980; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987; Amdt. No. 21-90, 72 FR 63404, Nov. 8, 2007]

EFFECTIVE DATE NOTE: By Amdt. 21-92, 74 FR 53386, Oct. 16, 2009, §21.50 was amended by revising paragraph (b) and adding paragraph (c), effective Apr. 14, 2010. For the convenience of the user, the added and revised text is set forth as follows:

### §21.50 Instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitations sections.

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(b) The holder of a design approval, including either the type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, must furnish at least one set of complete Instructions for Continued Airworthiness to the owner of each type aircraft, aircraft engine, or propeller upon its delivery, or upon issuance of the first standard airworthiness certificate for the affected aircraft, whichever occurs later. The Instructions must be prepared in accordance with §23.1529, §25.1529, §25.1729, §27.1529, §29.1529, §31.82, §33.4, §35.4, or part 26 of this subchapter, or as specified in the applicable airworthiness criteria for special classes of aircraft defined in §21.17(b), as applicable. If the holder of a design approval chooses to designate parts as commercial, it must include in the Instructions for Continued Airworthiness a list of commercial parts submitted in accordance with the provisions of paragraph (c) of this section. Thereafter, the holder of a design approval must make those instructions available to any other person required by this chapter to comply with any of the terms of those instructions. In addition, changes to the Instructions for Continued Airworthiness shall be made available to any person required by this chapter to comply with any of those instructions.

(c) To designate commercial parts, the holder of a design approval, in a manner acceptable to the FAA, must submit:

(1) A Commercial Parts List;

(2) Data for each part on the List showing that:

(i) The failure of the commercial part, as installed in the product, would not degrade the level of safety of the product; and

(ii) The part is produced only under the commercial part manufacturer's specification and marked only with the commercial part manufacturer's markings; and

## 14 CFR Ch. I (1-1-10 Edition)

(3) Any other data necessary for the FAA to approve the List.

### §21.51 Duration.

A type certificate is effective until surrendered, suspended, revoked, or a termination date is otherwise established by the Administrator.

### §21.53 Statement of conformity.

(a) Each applicant must submit a statement of conformity (FAA Form 317) to the Administrator for each aircraft engine and propeller presented to the Administrator for type certification. This statement of conformity must include a statement that the aircraft engine or propeller conforms to the type design therefor.

(b) Each applicant must submit a statement of conformity to the Administrator for each aircraft or part thereof presented to the Administrator for tests. This statement of conformity must include a statement that the applicant has complied with §21.33(a) (unless otherwise authorized under that paragraph).

[Amdt. 21-17, 32 FR 14926, Oct. 28, 1967]

EFFECTIVE DATE NOTE: By Amdt. 21-92, 74 FR 53386, Oct. 16, 2009, §21.53 was amended by revising paragraph (a), effective Apr. 14, 2010. For the convenience of the user, the revised text is set forth as follows:

### §21.53 Statement of conformity.

(a) Each applicant must provide, in a form and manner acceptable to the FAA, a statement that each aircraft engine or propeller presented for type certification conforms to its type design.

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### §21.55 Responsibility of type certificate holders to provide written licensing agreements.

A type certificate holder who allows a person to use the type certificate to manufacture a new aircraft, aircraft engine, or propeller must provide that person with a written licensing agreement acceptable to the FAA.

[Doc. No. FAA-2003-14825, 71 FR 52258, Sept. 1, 2006]